



03-30-11

MA

Practitioner's Docket No. KOTOV-10

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application

Patent No. 6,997,267

Issue Date 02/14/2006

Application No. 10/090,515

Filing Date 03/01/2002

Mail Stop Petition

Commissioner for Patents

P.O. Box 1450

Alexandria, VA 22313-1450

04/05/2011 DALLEN 00000013 6997267

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USPTO
RECEIPTS ACCOUNTING
DIVISION
2011 APR - 1 PM 4:11PETITION TO ACCEPT UNAVOIDABLY DELAYED PAYMENT
OF MAINTENANCE FEE IN EXPIRED PATENT (37 C.F.R. § 1.378(b))

1. This is a petition to accept the payment of the maintenance fee that was due for this patent as follows:

FEE (37 C.F.R. § 1.20(e))

3-1/2 years (37 C.F.R. § 1.20(e))

Other Than Small Entity

\$ 980.00

Fee being submitted \$ 980.00

CERTIFICATION UNDER 37 C.F.R. §§ 1.8(a) and 1.10*

(When using Express Mail, the Express Mail label number is *mandatory*;*Express Mail certification is optional.*)

I hereby certify that, on the date shown below, this correspondence is being:

MAILING

☒ deposited with the United States Postal Service in an envelope addressed to the Commissioner for Patents, P.O. Box 1450 Alexandria, VA 22313-1450.

37 C.F.R. § 1.8(a)

☐ with sufficient postage as first class mail.

37 C.F.R. § 1.10*

☒ as "Express Mail Post Office to Addressee"
Mailing Label No. EM349194163US

TRANSMISSION

☐ facsimile transmitted to the Patent and Trademark Office, (571) 273 - 8300.

Date:

3/29/11

Signature

Tracey L. Klaas

Tracey L. Klaas

(type or print name of person certifying)

* Only the date of filing (§ 1.6) will be the date used in a patent term adjustment calculation, although the date on any certificate of mailing or transmission under § 1.8 continues to be taken into account in determining timeliness. See § 1.703(f). Consider "Express Mail Post Office to Addressee" (§ 1.10) or facsimile transmission (§ 1.6(d)) for the reply to be accorded the earliest possible filing date for patent term adjustment calculations.

2. SURCHARGE (UNAVOIDABLE)

The surcharge required by 37 C.F.R. § 1.20(i)(1) of \$700.00 is also being paid as a condition of accepting payment of the maintenance fee.

TOTAL FEE BEING SUBMITTED

\$1,680.00

4. FEE PAYMENT (MAINTENANCE AND SURCHARGE FEES)

A check in the amount of \$1,060.00 has already been submitted in a previous Petition mailed on February 16, 2010 for payment of the maintenance fee and surcharge.

Attached is a check in the amount of \$700.00.

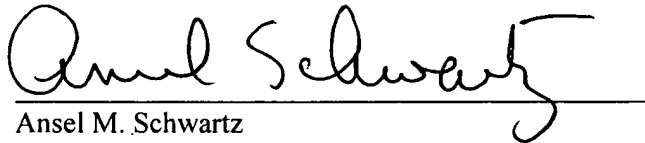
A duplicate of this payment is attached.

5. OVERPAYMENT OR FEE DEFICIENCY

As to any fee deficiency or overpayment made, please credit or charge Account No. 19-0737.

6. SHOWING

There is attached a showing that the delay was unavoidable because reasonable care was taken to ensure that the maintenance fee would be timely paid. The steps taken to ensure timely payment of the maintenance fee are enumerated. 37 C.F.R. § 1.378(b).



Ansel M. Schwartz
Registration No. 30,587
Attorney at Law
201 N. Craig Street
Suite 304
Pittsburgh, PA 15213
412-621-9222



IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Irwin Kotovsky
Patent No. : 6,997,267
Issue Date : February 14, 2006
Application No. : 10/090,515
Filing Date : March 1, 2002
Senior Petitions Attorney : Charles Steven Brantley
Docket No. : KOTOV-10
Title of the Invention : Method and Apparatus for a Lighting and/or Mechanical System

Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

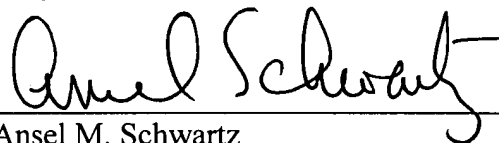
RENEWED PETITION UNDER 37 C.F.R. 1.377

Sir:

In response to the Decision on Petition dated March 23, 2011 regarding the subject patent, Petitioner requests reconsideration of said Decision dismissing the Request for Reconsideration petition dated October 12, 2010. Petitioner requests such reconsideration in view of the suggestion in said Decision by the Office of Petitions for Petitioner to file a Petition Under 37 C.F.R. 1.378(b), to reinstate the patent. Accordingly, enclosed is a Petition Under 37 C.F.R. 1.378(b), to reinstate the subject patent, along with a check for \$700.00 (\$1,060.00 of the total fee of \$1680.00 was previously paid with the original Petition filed on March 12, 2010).

Petitioner respectfully requests this Renewed Petition be accepted and the subject patent be reinstated.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ansel Schwartz", written over a horizontal line.

Ansel M. Schwartz

Reg. No. 30,587

201 N. Craig Street

Suite 304

Pittsburgh, PA 15213

Tel.: (412) 621-9222

Attorney for Petitioner

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Patent Application
Patent No. 6,997,267
Issue Date 02/14/2006



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Commissioner for Patents
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2. SURCHARGE (UNAVOIDABLE)

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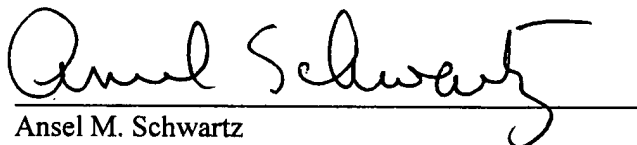
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6. SHOWING

There is attached a showing that the delay was unavoidable because reasonable care was taken to ensure that the maintenance fee would be timely paid. The steps taken to ensure timely payment of the maintenance fee are enumerated. 37 C.F.R. § 1.378(b).



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Senior Petitions Attorney : Charles Steven Brantley
Docket No. : KOTOV-10
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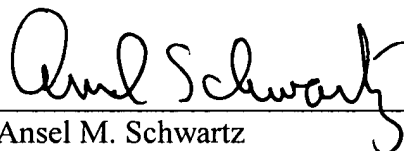
Mail Stop Petition
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Statement Showing of Unavoidable Delay

Patentee, on the last a day that the maintenance fee for the subject patent could be paid, (February 16, 2010) timely sent an envelope by United States Post Office Express Mail having the necessary documentation and payment to the Post Office address listed on the website of the United States Patent and Trademark Office for Express Mail payment. However, unbeknownst to patentee, the Express Mail address listed on the website of the United States Patent and Trademark Office no longer was maintained by the United States Patent and Trademark Office. The Express Mail envelope was returned by the Post Office to patentee marked that such post office address no longer existed. Patentee then submitted a Petition on March 12, 2010 to the United States Patent and Trademark Office for the United States Patent and Trademark Office to accept the maintenance fee payment for the subject patent. The Petition was denied. Patentee then filed a Request for Reconsideration. This Request for Reconsideration was denied on

March 23, 2011, but in the Decision by the Office of Petitions explaining the denial of the Request for Reconsideration, the Office of Petitions suggested filing this Petition Under 37 CFR Section 1.378(b) to reinstate the subject patent. Accordingly, with this Petition, patentee follows the suggestion by the Office of Petitions.

Respectfully submitted,

A handwritten signature in black ink, appearing to read "Ansel Schwartz", is written over a horizontal line.

Ansel M. Schwartz

Reg. No. 30,587

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Attorney for Petitioner